

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**JOYCE WESTBROOK**

**PLAINTIFF**

**V.**

**No. 3:05CV00093SWW**

**CITY OF WEST MEMPHIS, ARKANSAS; and  
ARBURT ROBINSON, individually and in his  
Official capacity as fire chief for the City of West  
Memphis, Arkansas**

**DEFENDANTS**

**AGREED PROTECTIVE ORDER**

Plaintiff has requested discovery of records containing sensitive financial information. In order to permit Plaintiff adequate access to the records necessary to completely present this case herein, and, at the same time to protect the personal privacy of Defendant and employees, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. Counsel for Defendant has agreed to produce a complete unexpurgated copy of the tax returns of Arburt Robinson for the last five (5) years, pursuant to the Federal Rules of Civil Procedure.
2. Said documents shall be considered confidential;
3. All confidential records or other information provided hereunder shall be used for the purpose of this litigation and none of the confidential material may be used for any other purpose whatsoever. Moreover, neither Plaintiff nor her counsel may utilize directly or indirectly the confidential records, documents, or other information made available pursuant to this Order in any other administrative complaint, proceeding, or civil

action;

4. All confidential records, documents, tapes, or other information provided hereunder shall be retained in the custody of the Plaintiff's counsel including their paralegal, secretarial staff, and/or other staff members, during the pendency of this litigation. Plaintiff's counsel may also provide copies of such confidential records, documents or other information to any expert witness[es] retained by the Plaintiff or persons frequently employed by such expert[s] whose review of the material is necessary for the Plaintiff's prosecution in this litigation;

5. If confidential documents or records are used during depositions, the depositions shall be treated as confidential in accordance with this Order.

6. Any document, information or deposition designated as confidential under this Order shall, when filed with the Court, be clearly marked Aconfidential@ sealed, placed in separate, secure storage by the Clerk, and opened only by authorized Court personnel.

7. Plaintiff, Plaintiff's, counsel and their staff and the retained expert witness/witnesses shall not in any manner, directly or indirectly, transfer confidential records, documents or other information provided hereunder or copies thereof, or communicate, orally or in writing, any of the data contained in said material to any person;

8. Plaintiff's counsel, promptly upon completion of this litigation, or before if at such time they have no further use of the confidential information, whichever shall first occur, shall return to the Defendant all materials produced, and all copies and extracts of data from such materials;

9. This Protective Order shall govern all pre-trial proceedings, but shall be subject to modification either before, during or after the trial on the merits, upon application of any of the parties to this lawsuit and for good cause shown.

10. The provisions of this Order shall not affect the admissibility of evidence at trial or any preliminary evidentiary proceeding in open court, except as directed by separate Order of this Court.

11. This Order is without prejudice to the rights of any party to make objections to the discovery as permitted by the Federal Rules of Civil Procedure, or by any statute or other authority.

IT IS SO ORDERED THIS 20<sup>TH</sup> DAY OF JUNE, 2006.

/s/Susan Webber Wright  
United States District Judge

APPROVED:

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